

**UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA**

United States of America,

Plaintiff,

Criminal No. 08-395 (5) (RHK/JJG)

vs.

ORDER

Antoine Raymone Killing,

Defendant.

Based on the undersigned's de novo review of the June 3, 2009 Report and Recommendation, the transcript of the May 14, 2009 motions hearing before Judge Graham, and Defendant's Objections to the Report and Recommendation, **IT IS ORDERED:**

1. The Objections (Doc. No. 359) are **OVERRULED**;
2. The Report and Recommendation (Doc. No. 340) is **ADOPTED**;
3. Defendant's Motion to Suppress Electronic Surveillance Evidence (Doc. No. 169) is **DENIED AS MOOT**;
4. Defendant's Motion to Suppress Evidence from Search and Seizure (Doc. No. 170) is **DENIED**; and
5. Defendant's Motion to Suppress Statements (Doc. No. 171) is **DENIED AS MOOT**.

Dated: July 10, 2009

s/Richard H. Kyle
RICHARD H. KYLE
United States District Judge